



COLLARD & ROE, P.C.
PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
FAX (516) 365-9805

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DATE: December 17, 2003

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TO: Examiner J. R. Phinney

FAX NO.: 1-703-⁸⁷²~~562~~ 9319

FROM: COLLARD & ROE, P.C.

RE: U.S. SER. NO. 09/921,973
Group: 2879
Applicants: H. KOMORI ET AL (1)

If you do not receive all of the pages, please call the above phone number as soon as possible.

MESSAGE:

Dear Sir:

Enclosed please find a Notice of Appeal dated December 17, 2003 with a request for 3-month extension of time. Please confirm receipt.

Respectfully submitted,


Edward R. Freedman

KK:im

K:\USERS\imendort\KELMAN\FAX transmittal PTU.KUMUKU ET AL-2 (Notice of Appeal).wpd

message is intended only for the use of the addressee, and may contain material which is privileged and confidential. If you are not the intended recipient, dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone. Thank you.

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **H. KOMORI ET AL (1)**
Serial No: **09/921,973** Group No.: **2879**
Filed: **AUGUST 2, 2001** Examiner: **JASON R. PHINNEY**
For: **CR1 PANEL GLASS HIGH IN X-RAY ABSORBABILITY AND LOW IN
DEVITRIFICATION**

MAIL STOP AF
Commissioner of Patents and Trademarks
P.O. BOX 1450
ALEXANDRIA, VA. 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed JUNE 18, 2003 finally rejecting claims 1-16.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than a small entity

☐ small entity

Verified statement

☐ attached

☐ already filed on _____

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

☐ small entity \$165.00

☒ other than a small entity \$330.00

Notice of Appeal fee due \$ 330.00

3. EXTENSION OF TERM

NOTE: *The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications 37 CFR 1.181(d). (But see 37 CFR 1.845 for extension of time in interference proceedings and 37 CFR 1.550(a) for extension of time in reexamination proceedings.)*

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being faxed to the US Patent Office, Fax No.: 703 872 0310 on December 17, 2003

Date: December 17, 2003

Inadd Mbandert
(Type or print name of person mailing paper)
[Signature]
(Signature of person mailing paper)

(Notice of Appeal from the Primary Examiner to Board - Page 1 of 3)

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.138 apply.

- (a) X Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below.

Extension (months)	Fee for other than small entity	Fee for small entity
<u>one</u> month	\$ 110.00	\$ 55.00
<u>two</u> months	\$ 420.00	\$ 210.00
<u>X</u> three months	\$ 950.00	\$ 475.00
<u>four</u> months	\$ 1480.00	\$ 740.00
		Fee \$ 950.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for month has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 950.00

or

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 330.00
 Extension fee (if any) \$ 950.00

FEE DUE \$ 1280.00

5. FEE PAYMENT

- Attached is a check in the sum of \$
X Charge Account No. 03-2468 the sum of \$ 1280.00
 A duplicate of this transmittal is attached.

(Notice of Appeal from the Primary Examiner to Board - Page 2 of 3)

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6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the paper to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1055 O.G. 31-33.

X If any additional extension and/or fee is required, charge account No. 03-2468.

AND/OR

X If any additional fee for claims is required, charge account No. 03-2468.

Edward F. Friedman
SIGNATURE OF ATTORNEY

SIGNATURE OF ATTORNEY

Reg. No.: 20.040

Tel No.: (516) 365-9802

Edward R. Freedman

Type or print name of attorney

1077 Northern Boulevard
P.O. Address

P.O. Address

Roslyn, New York 11576

December 17, 2003

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PLUSER@hul.harvard.edu;NOTICE OF APPEAL-KIMORI ET AL-1 Dec. 17.99